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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,794	03/09/2004	Sean Haney	D-1218 R3	3177
28995	7590	07/22/2008	EXAMINER	
RALPH E. JOCKE			BUTLER, MICHAEL E	
walker & jocke LPA				
231 SOUTH BROADWAY			ART UNIT	PAPER NUMBER
MEDINA, OH 44256			3653	
			MAIL DATE	DELIVERY MODE
			07/22/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10796794	3/9/04	HANEY ET AL.	D-1218 R3

EXAMINER

MICHAEL E.. BUTLER

ART UNIT	PAPER
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3653 07012008

DATE MAILED:

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Commissioner for Patents

The invention of group II is the class 221 dispensing art. Applicant's election to introduce claims in a non-dispensing art results in differing search and examination of claims outside the examiner's art, differing issues of patentability and accordingly the Office does not concur with applicant's contention that the group IV claims in the group IV class 109 depository art and the class 221 dispensing claims IV are obvious variants of one another.

The Office held the weir and squeegee were nonobvious elements over the prior in the cash dispensing art, and disagrees with applicant's contention of these groups of claims being patentably indistinct from each other.

The reference of claims 28-32 as withdrawn was holdover from a templtate and the recitation was inadvertent and concurs that claims 28-32 were never present in the case. As they were not present, claims 28-32 were not cancelled, and points out the examiners amendment on the notice of allowance did not list the claims 28-32 as being cancelled.

Accordingly, the restriction is maintained.

/Patrick H. Mackey/
Supervisory Patent Examiner, Art Unit 3653